

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHELLE ASHLEY HUTSON,

Plaintiff,

v.

Civil Action No. 2:18-cv-1383

NANCY A. BERRYHILL,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

MEMORANDUM OPINION AND ORDER

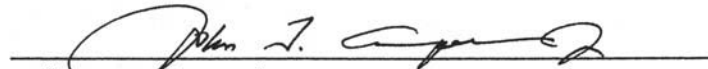
The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Omar J. Aboulhosn, entered April 2, 2019; and the magistrate judge having recommended that the court grant the claimant's request for remand, deny the defendant's request to affirm the decision below, reverse the final decision of the Commissioner, and remand this matter to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further administrative proceedings; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

1. The findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein;

2. The claimant's request for remand be, and it hereby is, granted;
3. The defendant's request to affirm the decision below be, and it hereby is, denied;
4. The final decision of the Commissioner be, and it hereby is, reversed; and
5. This matter be, and it hereby is, remanded to the Commissioner for further administrative proceedings as set forth in the magistrate judge's Proposed Findings and Recommendation.

The Clerk is directed to forward copies of this written opinion and order to the petitioner, all counsel of record, and the United States Magistrate Judge.

ENTER: May 8, 2019


John T. Copenhaver, Jr.
Senior United States District Judge